

**RESOLUTION NO. 11/12-23
CITY OF DAYTON, OREGON**

Title: *A Resolution Approving the Extension of the Existing Franchise Agreement with Portland General Electric*

WHEREAS the Franchise Agreement (the "Existing Agreement") between the City of Dayton ("City") and Portland General Electric Company ("PGE"), Ordinance No. 469 was effective as of May 1, 1992, and shall terminate at the expiration of twenty years from said date, and;

WHEREAS the City and PGE have been negotiating in good faith to replace the Existing Agreement with a new franchise agreement (the "New Agreement"); and

WHEREAS the parties have not yet finalized a New Agreement in all of its particulars; and

WHEREAS the parties wish that the Existing Agreement remain in place until the New Agreement is finalized;

The City of Dayton resolves as follows:

- 1) **THAT** the City and PGE agree that the Existing Agreement shall not terminate in May 2012, but shall remain in full force and effect, including but not limited to the payment provisions thereunder, until such time as a New Agreement is submitted to and approved by the Dayton City Council, and becomes effective in accordance with its terms.
- 2) **THAT** the City Manager is hereby authorized to sign the extension of the Existing Franchise Agreement, attached hereto as Exhibit A.
- 3) **THAT** this resolution shall become effective immediately upon adoption.

ADOPTED this 7th day of May, 2012

In Favor **Blackburn, Evers, Frank, Utt, White, Wytoski**

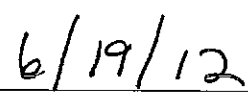
Opposed **None**

Absent **Witt**

Abstained **None**



Jolie White, Mayor



Date of Signing

ATTESTED BY:



**Peggy Selberg
City Recorder**



Date of Enactment

Attachment - Exhibit A

WHEREAS the Franchise Agreement (the "Existing Agreement") between the City of Dayton ("City") and Portland General Electric Company ("PGE"), Ordinance No. 469 was effective as of May 1, 1992, and shall terminate at the expiration of twenty years from said date, and;

WHEREAS the City and PGE have been negotiating in good faith to replace the Existing Agreement with a new franchise agreement (the "New Agreement"); and

WHEREAS the parties have not yet finalized a New Agreement in all of its particulars; and

WHEREAS the parties wish that the Existing Agreement remain in place until the New Agreement is finalized;

NOW, THEREFORE, the City and PGE agree that the Existing Agreement shall not terminate in May 2012, but shall remain in full force and effect, including but not limited to the payment provisions thereunder, until such time as a New Agreement is submitted to and approved by the Dayton City Council, and becomes effective in accordance with its terms.

For the City of Dayton

For Portland General Electric Company

Name

Name

City Manager

Title

Title

Date

Date